

PROCEEDINGS OF THE LAFAYETTE PUBLIC UTILITIES AUTHORITY OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF AUGUST 17, 2004.

ATTENDANCE

COUNCIL: Rob Stevenson (Chair), Christopher J. Williams, Ph.D., Louis C. Benjamin, Jr. Bruce Conque, Marc Mouton

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk), Veronica Williams (Assistant Clerk), Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: Becky Lalumia (Associate CAO/Finance Management), Pat Ottinger (Legal Counsel), Eleanor Bouy (Director of Planning, Zoning & Codes)

COMMENCEMENT

(TAPE 1)(SIDE A)(000) AGENDA ITEM NO. 1: Call to order.

Chair Rob Stevenson called the Lafayette Public Utilities Authority Meeting of August 17, 2004, to order.

EXECUTIVE/PRESIDENT'S REPORT

(TAPE 1)(SIDE A)(004) AGENDA ITEM NO. 2: President's Report.

No report.

(TAPE 1)(SIDE A)(006) AGENDA ITEM NO. 3: LUS Director's Report.

No report.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(009) AGENDA ITEM NO. 4: O-030-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority providing for the abandonment of a portion of utility easements and the reserving of utility easements on Tract 1, Lots 87 and 88 in Phase 2 of Austin Village, having municipal addresses of 412 Digby Avenue and 413 Digby Avenue, motion to adopt as amended (*amendment being 1) to delete Section 3 in its entirety, and 2) change Section 4 to Section 3 and Section 5 to Section 4*) by Conque, seconded by Benjamin, and the vote was as follows:

YEAS: Benjamin, Mouton, Stevenson

NAYS: Conque

ABSENT: Williams

RECUSED: None

Motion was approved.

Conque stated that he had placed this ordinance back on the LPUA and Council agenda. He then asked the City-Parish Attorney to explain. Ottinger explained that on June 1st this matter was brought before the LPUA and Council. Due to differences of recommendations from LCG departments, the LPUA voted to defer the matter to the Planning Commission. On the same date, the Council defeated the ordinance, which contradicted the LPUA. Ottinger concluded that since LPUA deals with utility issues, this ordinance is limited to the utility feature only. A new Section 3 has been added where, if passed by the LPUA, it is still contingent upon Council action (dealing with both the road abandonment and utility issue).

Conque then stated that this would give all Councilmembers the opportunity to vote on this (several were absent on June 1). He added that he would vote for this ordinance, dealing with the utility easement, but would vote against the ordinance abandoning the right-of-way at the full Council meeting.

Williams questioned the need for the new Section 3 stating that, currently, if one of the bodies defeated the ordinance, the issue was dead because both bodies did not concur. Ottinger

answered that on June 1, the ordinance that came before the LPUA dealt with utilities as well as the road. Ottinger concluded that this ordinance predominates as a road issue rather than utilities. The utility issue was secondary. So, using this as an example, the LPUA ordinance has been striped down to address only the utility issue. This does not affect the Charter.

Williams then requested that Section 3 be struck. The motion and the second agreed.

The following individual was recognized:

Brian Clement, representative of Austin Village, was present to answer any questions.

Upon questioning by Stevenson, Don Broussard, Water Operations Manager, explained the utility easement was being reserved for a future extension to go along with the road extension. There are no utilities in the proposed abandonment.

(TAPE 1)(SIDE A)(272) AGENDA ITEM NO. 5: O-031-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94, Article I, Section 94-12, "Exclusion of certain costs and revenues in computation of annual in-lieu-of-tax payment", motion to adopt as amended (*amendment being to change "with" to "for" in Section 1(1)*) by Williams, seconded by Mouton, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

INTRODUCTORY ORDINANCES

(TAPE 1)(SIDE A)(295) AGENDA ITEM NO. 6 - 7: A motion was offered by Mouton, seconded by Conque, to approve the introduction of the following ordinances, in-globo, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

6. O-032-2004 An ordinance of the Lafayette Public Utilities Authority providing for the abandonment of a portion of a utility easement on a portion of Lot 27, all of Lot 28, and a portion of Lot 29 of Broadmoor South Subdivision, having a municipal address of 102 Thornwood Circle.

7: O-033-2004 An ordinance of the Lafayette Public Utilities Authority authorizing the Lafayette City-Parish President to execute an agreement with Southwest Louisiana Electric Membership Corporation on behalf of the Lafayette City-Parish Consolidated Government providing for the acquisition, under circumstances stated therein, of certain customers and facilities of Southwest Louisiana Electric Membership Corporation.

(TAPE 1)(SIDE A)(312) AGENDA ITEM NO. 8: Comments from the public on above introductory ordinances.

No comments.

COMMENTS FROM THE PUBLIC

(TAPE 1)(SIDE A)(315) AGENDA ITEM NO. 9: Comments from the public on other matters.

No comments.

ADJOURN

(TAPE 1)(SIDE A)(316) There being no further business to come before the LPUA, Chair Stevenson declared the meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL